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9 *Attorneys for Plaintiff*

10 UNITED STATES DISTRICT COURT  
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

12 PAUL GANNON, individually and on  
13 behalf of all others similarly situated,

14 Plaintiff,

15 v.

16 NETWORK TELEPHONE SERVICES,  
17 INC., a California corporation; DECADE  
18 COMMUNICATIONS, INC., a  
19 California corporation; FRONTIER  
20 CREDIT, INC., a California corporation;  
21 AMERICAN OPERATOR SERVICES,  
22 INC., a California corporation; JOSEPH  
23 PRESTON, individually; and GARY  
24 PASSON, individually,

25 Defendants.

**DENIED**

BY ORDER OF THE COURT

NO. 2:12-cv-09777-RGK-PJW

**[PROPOSED] ORDER  
GRANTING STAY OF ACTION  
PENDING THE OUTCOME OF  
PLAINTIFF'S PETITION FOR  
PERMISSION TO APPEAL AND,  
IF GRANTED, PLAINTIFF'S  
APPEAL**

Hon. R. Gary Klausner

Complaint filed: November 15, 2012

26  
27 [PROPOSED] ORDER GRANTING STAY OF ACTION  
28 PENDING THE OUTCOME OF PLAINTIFF'S PETITION FOR  
PERMISSION TO APPEAL AND, IF GRANTED, PLAINTIFF'S  
APPEAL - 1

1 The Court, having reviewed the Joint Stipulation to Stay Entire Action  
2 Pending the Outcome of Plaintiff's Petition for Permission to Appeal, hereby  
3 finds good cause and ORDERS that:

4 ~~1. This matter is hereby stayed pending the Court of Appeals'~~  
5 ~~consideration and decision regarding Plaintiff's Petition for Permission to Appeal~~  
6 ~~From Order Denying Class Certification (the "Rule 23(f) Petition") filed on June~~  
7 ~~19, 2013 and, if the Rule 23(f) Petition is granted, pending resolution of the~~  
8 ~~appeal.~~

9 ~~2. If the Rule 23(f) Petition is denied, the discovery cut-off (September~~  
10 ~~11, 2013), motion cut-off (September 25, 2013), Pretrial Conference (November~~  
11 ~~25, 2013) and jury trial (December 10, 2013) shall be continued so that the~~  
12 ~~earliest of such dates shall occur no sooner than thirty (30) days after such denial.~~  
13 ~~If the Rule 23(f) Petition is granted, the Court shall set a scheduling conference to~~  
14 ~~discuss future dates.~~

15 THE STIPULATION IS DENIED.

16 IT IS SO ORDERED.

17 Dated this 23rd day of August, 2013.

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20 UNITED STATES DISTRICT JUDGE  
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APPEAL - 2

1 Presented by:

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APPEAL - 3

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APPEAL - 4

CERTIFICATE OF SERVICE

I, Michael D. Daudt, hereby certify that on August 23, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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*Attorneys for Defendants*

DATED this 23rd day of August, 2013.

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[PROPOSED] ORDER GRANTING STAY OF ACTION  
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APPEAL - 5